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C O N F I D E N T I A L QUITO 000060

SIPDIS

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TAGS: [PGOV](#) [PREL](#) [EC](#)

SUBJECT: GOE NOTES USG CONCERN OVER SUPREME COURT CHANGES;
PRESIDENT GUTIERREZ TO VISIT NEW YORK JANUARY 18-19

REF: A. 03 QUITO 3217

[1](#)B. 03 QUITO 3248

Classified By: Ambassador Kristie A. Kenney, Reason 1.4 (b)

[1](#)1. (C) Summary: MFA U/S for Multilateral Affairs and the GOE's designate for Ambassador to the U.S., Roberto Betancourt, invited the DCM to his office on January 10 to inquire about recent statements by the Embassy spokesman. The DCM stood by the statements as an accurate reflection of USG concern that the Ecuadorian Congress' recent replacement of the Supreme Court and other judicial institutions did not strengthen democratic institutions. Betancourt also provided information on President Gutierrez' planned visit to New York later this month. End Summary.

GOE Concerned about USG Concern

[1](#)2. (C) Betancourt said he had been asked by FM Zuquilanda to inquire about recent statements by the Embassy spokesman of concern over recent moves by the majority in Congress to replace the Supreme Court and other judicial institutions. Betancourt cautioned that the media would use such statements for political ends.

[1](#)3. (C) The spokesman's comments were in response to press inquiries to local publication of Michael Shifter's opinion piece originally published in the Los Angeles Times, alleging that the USG was indifferent to the weakening of democratic institutions here. The spokesman responded to press inquiries here saying the USG is not indifferent, noting that the Ambassador had, publicly and subsequently privately with President Gutierrez, expressed USG support for independent democratic institutions, and our concern about the Congress' actions. The statements ran in local media January 8-10.

[1](#)4. (C) The DCM noted that the Embassy spokesman's statements simply reiterated the USG position of concern and support for democratic institutions. They reflect long-standing USG support for Ecuadorian democracy, and repeat what the Ambassador expressed on several previous occasions in December, both publicly and in private to President Gutierrez (RefTels). This concern has been echoed in U.S. the media and civil society. The Inter-American Dialogue would meet to discuss Ecuadorian democracy later this week. The DCM noted that we are encouraged by President Gutierrez' stated intention of strengthening the independence of the judiciary.

Gutierrez to New York

[1](#)5. (C) Betancourt said President Gutierrez, accompanied by Finance Minister Mauricio Yopez and Ecuador's Ambassador-designate to the UN, would depart Ecuador for New York on January 15, to attend meetings on January 18-19, and return to Ecuador on the 20th. The agenda for the visit is being finalized, but will likely include talks with financial institutions on debt swaps, a meeting with the Ecuadorian community representatives, an event at the Council of the Americas, and perhaps a call at the UN. President Gutierrez is not seeking to visit Washington. The DCM suggested that Gutierrez be well prepared to address the Supreme Court issue at any public events.

Comment

[1](#)6. (C) Betancourt, who currently awaits USG agreement as Ambassador-designate to the U.S., made his inquiries gently, clearly under orders to signal GOE concern. Thus far the GOE has not reacted publicly and seems unlikely to do so. We are comfortable that our message of concern for democratic institutions, coupled with deference to Ecuadorians as arbiters of their own constitution, is entirely appropriate and eminently defensible.

[1](#)7. (C) We had counseled against a presidential trip to the U.S. at this time, and partially succeeded in turning off a visit to Washington. Gutierrez apparently hopes to highlight his administration's economic successes on this visit and perhaps to escape political pressures building at home.

KENNEY